

2003 DRAFTING REQUEST**Bill**Received: **01/09/2003**Received By: **pdykman**Wanted: **Soon**

Identical to LRB:

For: **John Gard (608) 266-3387**By/Representing: **Nowak, Ellen**This file may be shown to any legislator: **NO**Drafter: **pdykman**

May Contact:

Addl. Drafters:

Subject: **Legislature - miscellaneous**Extra Copies: **JK
RJM
RPN**Submit via email: **YES**Requester's email: **Rep.Gard@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Increase the size of the Joint Comm. for Review of Administrative Rules

Instructions:

See Attached increase the size of the Joint Comm. for Review of Administrative Rules to allow one additional member per caucus.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	pdykman 01/09/2003	kgilfoy 01/09/2003	chaskett 01/09/2003	_____	sbasford 01/09/2003	sbasford 01/10/2003 sbasford 01/10/2003	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	pdykman 01/14/2003	kgilfoy 01/14/2003	chaskett 01/14/2003	_____	amentkow 01/14/2003	lemery 01/14/2003	

FE Sent For:

<END>

None Needed

2003 DRAFTING REQUEST

Bill

Received: 01/09/2003

Received By: **pdykman**

Wanted: **Soon**

Identical to LRB:

For: **John Gard (608) 266-3387**

By/Representing: **Nowak, Ellen**

This file may be shown to any legislator: **NO**

Drafter: **pdykman**

May Contact:

Addl. Drafters:

Subject: **Legislature - miscellaneous**

Extra Copies:

JK
RJM
RPN

→ email

Submit via email: **YES**

Requester's email: **Rep.Gard@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Increase the size of the Joint Comm. for Review of Administrative Rules

Instructions:

See Attached increase the size of the Joint Comm. for Review of Administrative Rules to allow one additional member per caucus.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	pdykman 01/09/2003	kgilfoy 01/09/2003	chaskett 01/09/2003	_____	sbasford 01/09/2003	sbasford 01/10/2003 sbasford 01/10/2003	

01/14/2003 04:05:21 PM

Page 2

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	pdykman 01/14/2003	kgilfoy 01/14/2003	chaskett 01/14/2003	_____	amentkow 01/14/2003		

FE Sent For:

<END>

01/10/2003 07:54:28 AM

Page 1

2003 DRAFTING REQUEST**Bill**Received: **01/09/2003**Received By: **pdykman**Wanted: **Soon**

Identical to LRB:

For: **John Gard (608) 266-3387**By/Representing: **Nowak, Ellen**This file may be shown to any legislator: **NO**Drafter: **pdykman**

May Contact:

Addl. Drafters:

Subject: **Legislature - miscellaneous**Extra Copies: **JK
RJM
RPN**Submit via email: **YES**Requester's email: **Rep.Gard@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Increase the size of the Joint Comm. for Review of Administrative Rules

Instructions:

See Attached increase the size of the Joint Comm. for Review of Administrative Rules to allow one additional member per caucus.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				<i>CPH 1pg</i>			
/1	pdykman 01/09/2003	kgilfoy 01/09/2003	chaskett 01/09/2003	<u>1/14</u>	sbasford 01/09/2003	sbasford 01/10/2003	
		<i>12-1/14/03</i>	<i>12 CPH</i>	<u> </u>		sbasford 01/10/2003	
		<i>1/14</i>	<i>1/14</i>	<u> </u>			

01/10/2003 07:54:28 AM
Page 2

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

01/09/2003 03:12:38 PM

Page 1

2003 DRAFTING REQUEST

Bill

Received: **01/09/2003**

Received By: **pdykman**

Wanted: **Soon**

Identical to LRB:

For: **John Gard (608) 266-3387**

By/Representing: **Nowak, Ellen**

This file may be shown to any legislator: **NO**

Drafter: **pdykman**

May Contact:

Addl. Drafters:

Subject: **Legislature - miscellaneous**

Extra Copies: **JK
RJM
RPN**

Submit via email: **YES**

Requester's email: **Rep.Gard@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Increase the size of the Joint Comm. for Review of Administrative Rules

Instructions:

See Attached increase the size of the Joint Comm. for Review of Administrative Rules to allow one additional member per caucus.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	pdykman 01/09/2003	kgilfoy 01/09/2003	chaskett 01/09/2003	_____	sbasford 01/09/2003		

01/09/2003 03:12:39 PM

Page 2

FE Sent For:

<END>

01/09/2003 10:47:03 AM

Page 1

2003 DRAFTING REQUEST**Bill**Received: **01/09/2003**Received By: **pdykman**Wanted: **Soon**

Identical to LRB:

For: **John Gard (608) 266-3387**By/Representing: **Nowak, Ellen**This file may be shown to any legislator: **NO**Drafter: **pdykman**

May Contact:

Addl. Drafters:

Subject: **Legislature - miscellaneous**Extra Copies: **JK
RJM
RPN**Submit via email: **YES**Requester's email: **Rep.Gard@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Increase the size of the Joint Comm. for Review of Administrative Rules

Instructions:

See Attached increase the size of the Joint Comm. for Review of Administrative Rules to allow one additional member per caucus.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pdykman	11-1/9/03 Kmg	1 1/9 Cph	Pg/Cph 1/9			

FE Sent For:

<END>



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1401/1

PJD:....

King

2003 BILL

Today

- 1 *Gen. Cat.* AN ACT *to amend* 13.56 (1) of the statutes; relating to: the number of members
2 on the Joint Committee for Review of Administrative Rules.

Analysis by the Legislative Reference Bureau

This bill increases the number of members on the Joint Committee for Review of Administrative Rules from ~~5~~ *five* members from each house to ~~7~~ *seven* members from each house.

The Joint Committee for Review of Administrative Rules must review proposed rules when standing committees object to them. It also may suspend rules that have been promulgated; may suspend or extend the effective period of all or part of emergency rules; and may order an agency to put unwritten policies in rule form.

When a standing committee objects to a proposed rule or portion of a rule, it must be referred to the joint committee. The joint committee then has 30 days to review the rule, but that period may be extended for an additional 30 days. The joint committee may uphold or reverse the standing committee's action. If it concurs with the objection, it introduces bills concurrently in both houses to prevent promulgation of the rule. If either bill is enacted, the agency may not adopt the rule unless specifically authorized to do so by subsequent legislative action. If the joint committee disagrees with the objection, it may overrule the standing committee and allow the agency to adopt the rule or it may request the agency to modify the rule.

The joint committee may suspend a rule after holding a public hearing, but suspension must be based on one or more of the following reasons: absence of statutory authority; an emergency related to public health or welfare; failure to comply with legislative intent; conflict with existing state law; a change in

BILL

circumstances since passage of the law that authorized the rule; or a rule that is arbitrary or capricious or imposes undue hardship. Within 30 days following the suspension, the committee must introduce bills concurrently in both houses to repeal the suspended rule.

If either bill is enacted, the rule is repealed and the agency may not promulgate it again unless authorized by the legislature. If both bills fail to pass, the rule remains in effect and may not be suspended again.

The joint committee receives notice of any action in the circuit court of Dane County for declaratory judgments about the validity of a rule and may intervene in the action with the consent of the Joint Committee on Legislative Organization.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 13.56 (1) of the statutes is amended to read:

13.56 (1) CREATION. There is created a joint committee for review of administrative rules, consisting of 5 7 senators and 5 7 representatives to the assembly appointed as are the members of standing committees in their respective houses from the majority and minority political parties in each house. In making the appointments, each house shall designate a cochairperson. The committee shall meet at the call of one of its cochairpersons.

History: 1973 c. 90, 162; 1973 c. 334 s. 58; 1973 c. 336; 1975 c. 224; 1975 c. 414 s. 28; 1977 c. 29, 277, 449; 1979 c. 34 ss. 2qcm, 2102 (32) (b); 1979 c. 270; 1981 c. 253; 1983 a. 27; 1985 a. 182 ss. 1 to 6, 57.

(END)

Basford, Sarah

From: Schoenfeldt, Jeff
Sent: Thursday, January 09, 2003 5:17 PM
To: LRB.Legal
Subject: Draft review: LRB-1401/1 Topic: Increase the size of the Joint Comm. for Review of Administrative Rules

It has been requested by <Schoenfeldt, Jeff> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB-1401/1 Topic: Increase the size of the Joint Comm. for Review of Administrative Rules

Today

2003 BILL

- 1 AN ACT *to amend* 13.56 (1) of the statutes; **relating to:** the number of members
- 2 on the Joint Committee for Review of Administrative Rules

removes the Joint Survey Committee on tax exemptions from the statutes and removing

Survey Committee

Analysis by the Legislative Reference Bureau

This bill increases the number of members on the Joint Committee for Review of Administrative Rules from five members from each house to seven members from each house.

The Joint Committee for Review of Administrative Rules must review proposed rules when standing committees object to them. It also may suspend rules that have been promulgated; may suspend or extend the effective period of all or part of emergency rules; and may order an agency to put unwritten policies in rule form.

When a standing committee objects to a proposed rule or portion of a rule, it must be referred to the joint committee. The joint committee then has 30 days to review the rule, but that period may be extended for an additional 30 days. The joint committee may uphold or reverse the standing committee's action. If it concurs with the objection, it introduces bills concurrently in both houses to prevent promulgation of the rule. If either bill is enacted, the agency may not adopt the rule unless specifically authorized to do so by subsequent legislative action. If the joint committee disagrees with the objection, it may overrule the standing committee and allow the agency to adopt the rule or it may request the agency to modify the rule.

The joint committee may suspend a rule after holding a public hearing, but suspension must be based on one or more of the following reasons: absence of statutory authority; an emergency related to public health or welfare; failure to comply with legislative intent; conflict with existing state law; a change in

on tax exemptions from the statutes

statutes

BILL

circumstances since passage of the law that authorized the rule; or a rule that is arbitrary or capricious or imposes undue hardship. Within 30 days following the suspension, the joint committee must introduce bills concurrently in both houses to repeal the suspended rule.

If either bill is enacted, the rule is repealed and the agency may not promulgate it again unless authorized by the legislature. If both bills fail to pass, the rule remains in effect and may not be suspended again.

The joint committee receives notice of any action in the Circuit Court for Dane County for declaratory judgments about the validity of a rule and may intervene in the action with the consent of the Joint Committee on Legislative Organization.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 13.56 (1) of the statutes is amended to read:

13.56 (1) CREATION. There is created a joint committee for review of administrative rules, consisting of ~~5~~ 7 senators and ~~5~~ 7 representatives to the assembly appointed as are the members of standing committees in their respective houses from the majority and minority political parties in each house. In making the appointments, each house shall designate a cochairperson. The committee shall meet at the call of one of its cochairpersons.

(END)

A

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1401/2ins
PJD:.....

JANUARY 14, 2003

A

1 SECTION 1. 13.093 (2) (b) of the statutes is amended to read:

2 13.093 (2) (b) Executive budget bills introduced under s. 16.47 (1) are exempt
3 from the fiscal estimate requirement under par. (a) but shall, if they contain a
4 provision affecting a public retirement fund ~~or providing a tax exemption~~, be
5 analyzed as to those provisions by the respective joint survey committee ~~on~~
6 ~~retirement systems~~. ~~If such a bill contains a provision providing a tax exemption,~~
7 ~~the bill shall be simultaneously referred to the joint survey committee on tax~~
8 ~~exemptions and the joint committee on finance. The report of the joint survey~~
9 ~~committee on tax exemptions shall be prepared within 60 days of introduction for~~
10 ~~bills introduced under s. 16.47 (1)~~ *plain.*

History: 1971 c. 17; 1977 c. 29, 317; 1979 c. 34, 283; 1981 c. 20, 2n; 1981 c. 27 s. 1; Stats. 1981 s. 13.093; 1983 a. 8, 27; 1987 a. 4; 1989 a. 31; 2001 a. 16.

11 SECTION 2. 13.52 of the statutes is repealed.

History: 1973 c. 163; 1975 c. 215, 224; 1977 c. 325; 1991 a. 316; 1993 a. 184.

on retirement systems